

Remarks

The Examiner has rejected claims 1-5 and 8 under 35 U.S.C. 103(a) as being unpatentable over "Fannie Farmer Cookbook", page 225 in view of U.S. Patent 3,928,651 to Froehlich et al.

This rejection should be withdrawn.

As required by the present claims, the truss is applied above the hocks so that the legs of the bird are crossed. This permits the legs to be held closely against the breast without requirement for excessive string material as required by the system shown in the Fannie Farmer Cookbook. Further, since the Cookbook reference does not disclose or suggest edible string material, it is actually desirable in the "Cookbook" reference to use an extended string length to provide an easy grasp for removal prior to ingestion. Such is not the case in the present invention where minimal edible string material is needed and desired.

The Froehlich et al reference does not overcome the defects of the "Cookbook" reference. While Froehlich et al. discusses edible string, and its use in "rolled" type meat tying, there is absolutely no disclosure or suggestion for its use in a truss nor of advantages of the truss configuration claimed that requires minimized collagen string while maintaining legs close to the breast to prevent drying out of meat product and truss string. Combining Froehlich with the Fannie Farmer Cookbook reference still does not suggest the claimed desired truss configuration using edible string.

In view of the foregoing amendments and remarks, it is asserted that all claims are now in condition for allowance, which action is courteously requested.

A check in the amount of \$420.00 is enclosed along with a Petition for a two month extension of time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael L. Dunn", with a long horizontal flourish extending to the right.

Michael L. Dunn  
Attorney for Applicant(s)  
Reg. No. 25,330  
CUSTOMER NO. 24041  
Simpson & Simpson, PLLC  
5555 Main Street  
Williamsville, NY 14221-5406  
Telephone No. 716-626-1564

Dated: March 3, 2004

cc: D. MacDougall